

Landmarks Preservation Commission

A Guide to Successfully Navigating the LPC Application Process

WHAT IS A LANDMARK?

A landmark is a building, property, or object that has special historical, aesthetic, or characteristic value to the development, heritage or cultural characteristics of the locale. In New York City landmarks are designated by the Landmarks Preservation Commission (LPC). The LPC is responsible for regulating changes to existing landmarks in addition to identifying the city's landmarks.

WHAT ARE THE TYPES OF LANDMARK DESIGNATIONS?

A landmark can be categorized into one of four types:

1. Individual Landmark

Designated by the LPC for its exterior. Only the exterior features are protected.

2. Interior Landmark

Designated by the LPC for an interior space. The public must be able to access the interior.

3. Scenic Landmark

Designated by the LPC for a landscape feature or group of features. Must be situated on city property.

4. Historic District

Designated by the LPC for representation of a period or style of architecture typical to the area thus creating a "sense of place." Districts may also be designated due to cultural or social significance.

HOW DO I FIND OUT IF MY BUILDING IS A LANDMARK?

Visit the Department of Building (DOB) website. Search the address of the building. If the site is denoted with an "L," it is a landmark. If denoted with a "C" (calendared) the site is currently under review or consideration. The application process is the same for both "L" and "C" designated properties. The application for work on a "C" site will require a minimum of 40 business days.



The Landmarks Preservation Commission is instrumental in preserving the aesthetic and cultural charm of New York City neighborhoods.

DO I NEED TO APPLY TO LPC?

Owners are required by law to obtain a permit before work begins on landmarked properties. Application is required if the proposed work will:

- Change or affect the exterior
- Change or affect Interior Landmark
- Require DOB permitting (with the exception of abatements, MEP installations, and temporary structures such as sidewalk sheds)

ARE THERE VARYING TYPES OF APPLICATIONS?

An application is distinguished by the impact the proposed work will have on the protected architectural elements. The amount of change determines the permit required.

1. Certificate of No Effect (CNE)

The proposed work will not affect the protected feature. Approval requires 30

business days or more.

2. Permit for Minor Work (PMW)

The proposed work will affect the protected feature but will not require DOB permitting. Requires 20 business days or more from application to approval.

3. Certificate of Appropriateness (C of A)

The proposed work will significantly affect the protected feature. After the application is filed, a public hearing must be held. Requires 90 business days or more from hearing to approval.

I NEED APPROVAL NOW. CAN AN APPLICATION BE EXPEDITED?

In early 2013 application expediting became available. The LPC reports that as much as 30 percent of new applications are filed for an expedited permit. There are two types of expedited applications. Both require applicants to have no outstanding LPC violations

and all applications must meet the LPC requirements.

1. Expedited Certificate of No Effect (XCNE)

Requires three to five business days from application to approval. Applications must meet CNE requirements as well as meet the following conditions:

- Interior work only
- Above second story or in cellar or basement
- No work on the ground floor
- Not an interior landmark
- No changes to exterior wall/windows

2. Fast Track

Requires five to ten business days from application to approval. Applications can be requested for the following types of work:

- Work on non-visible facades including but not limited to HVAC, windows, skylights and decks
- Interior alterations
- Concrete sidewalk replacement and repair
- Minor repairs on rear or secondary facades
- Window replacements on secondary facades
- Window and/or door modification on non-visible facades
- Rear decks non-visible
- Non-visible roof deck
- Non-visible HVAC unit in rear yards or on rooftops
- Through-the-wall HVAC on non-visible or secondary facades
- Wall-mounted HVAC on secondary or non-visible facades
- Sidewalk cafes
- Notice of compliance for interior work

WHAT NEEDS TO BE INCLUDED WITH AN LPC APPLICATION?

- Completed application signed by building owner
- Historic Supplement including archival photos and pertinent property information
- List of proposed work, repairs and deficiencies with detailed photos
- Two copies of construction drawings with repair locations clearly noted
- A copy of the specification package noting how materials will match the historic look (color, texture, etc.)

WHERE CAN HISTORIC PHOTOS BE FOUND?

- NYC tax photos (taken circa 1940) are available through municipal archives. Visit nyc.gov/records
- Neighborhood Preservation
- New York Public Library
- Museum of the City of New York

APPLICATION SUBMITTED. WHAT HAPPENS NOW?

Now that the application has been submitted the waiting game begins. As noted earlier each type of application has a minimum amount of time needed for review. This means your application may require more time than noted for the commission to come to a decision. No work can begin until the review period is over and approval granted.

If the commission has any questions or requires more information in order to make a decision, a Material Checklist will be released. This checklist can include:

- questions regarding applications
- a request for clarification or change
- a request for more details or photos
- follow up of any kind

The information request will need to be answered satisfactorily before review continues. Supply the commission with the information requested and the review will render a decision. To receive a final ruling in a timely fashion, LPC recommends submitting a response to the Material Checklist within three days of issuance.

Once an application review is complete and the commission has approved the work, a permit will be issued. The permit will outline the LPC requirements for the project, if there are any. These requirements must be met.

DO I NEED TO CONTACT LPC DURING CONSTRUCTION?

If change orders are submitted or there is an alteration of scope over the course of work, these changes must be submitted to the LPC via a miscellaneous amendment application.

FOR MORE LPC INFORMATION

There are a number of sources for additional information on working with the Landmarks Preservation Commission. Please visit the LPC website (nyc.gov/html/lpc) for the following articles:

Making Changes to a Landmark Property

An overview of the landmark process and application guidelines as well as information on financial assistance for proposed work.

Permits Application Guide

Detailed information on permitting guidelines for the following:

- Windows
- Storefronts
- Awnings
- Signage
- HVAC
- Additions
- Restorations
- Repairs

SMARTPHONE APPS

Landmarks New York

New York Landmarks Conservancy app lists more than 1,400 officially landmarked buildings in the five boroughs. Search by address, map, or GPS-based "Near Me" on your iOS device. Includes links to Wikipedia, photos, designation date, information on owners, and social media share function. \$1.99.

Landmarks (Brandon McGraw)

Hidden history of more than 850 New York City Landmarks. Features include history, photos, and direct links to the LPC designation report. iOS devices, \$1.99.

THE WORK IS COMPLETE. IS ANY FOLLOW UP REQUIRED?

The final step is to submit "Notice of Compliance" request. The submittal should include a letter from the owner confirming compliance and a set of as-built drawings with corresponding photos. If work has been completed in accordance with LPC regulations, a Notice of Compliance will be issued and the project is officially complete. ■